



THE GOVERNMENT OF INDIA

# आरत का राजपत्र

## The Gazette of India

प्रसाधन  
EXTRAORDINARY

भाग II—खण्ड 2  
PART II—Section 2

शासिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 49] नई दिल्ली, वहस्यतिवार, ५ दिसंबर, ४, १९९०/प्राप्तवेद १२, १९१२  
No. 49] NEW DELHI, THURSDAY, OCTOBER 4, 1990/ASVINA, 12, 1912

इस भाग में चिन्ह पृष्ठ संख्या दी जाती है जिससे कि यह घलग संकलन के लिए रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation.

### LOK SABHA

The following Bill was introduced in Lok Sabha on the 4th October, 1990 as follows:—

BILL No. 158 OF 1990

*A Bill further to amend the Constitution of India.*

Be it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

<p>1. This Act may be called the Constitution (Seventy-sixth Amendment) Act, 1990.</p> <p>2. In article 356 of the Constitution, in clause (4), in the third proviso, for the words "three years and six months", the words "four years" shall be substituted.</p>	<p>Short title.</p> <p>Amendment of article 356.</p>
--	--

## STATEMENT OF OBJECTS AND REASONS

Under clause (4) of article 356 of the Constitution, no Proclamation issued under that article and approved by both the Houses of Parliament shall remain in force for more than three years. However, under clause (5) of the said article, a resolution approving the continuance in force of a Proclamation issued under clause (1) of that article beyond a period of one year cannot be passed by either House of Parliament unless the two conditions relating to a Proclamation of Emergency being in operation in the whole or any part of the State and the certificate by the Election Commission that the continuation of the Proclamation issued under clause (1) is necessary on account of difficulties in holding general elections to the Legislative Assembly of the State as specified in that clause are met. The three years period in the case of Proclamation issued on 11th May, 1987 with respect to the State of Punjab was extended to three years and six months by the Constitution (Sixty-fourth Amendment) Act, 1990 and clause (5) of article 356 was also suitably amended by that Act in the expectation that it would be possible to hold elections to the Legislative Assembly of that State. The prevailing circumstances in the State, however, still do not hold out prospects for free and peaceful elections to the State Legislative Assembly. Clause (4) of article 356 of the Constitution is, therefore, proposed to be amended so as to facilitate the extension of the said Proclamation up to a total period of four years in relation to the State of Punjab.

2. The Bill seeks to achieve the above objects.

NEW DELHI;  
*The 1st October, 1990.*

MUFTI MOHAMMED SAYEED

K. C. RASTOGI,  
*Secretary-General.*